

**FILED**

NOV 30 2015

AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature]  
DEPUTY

United States of America

V.

Alejandro ENRIQUEZ

Case No.

EX-15-M-4356-MAT

Defendant(s)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 25, 2015 in the county of El Paso in the  
Western District of Texas, the defendant(s) violated:

### Code Section

Title 21, U.S.C., Section 841(a)(1)

### Offense Description

defendant did, knowingly and intentionally possess with the intent to distribute approximately 68.30 kilograms (gross weight) of marijuana, a Schedule One controlled substance;


Title 21, U.S.C, Section 952 (a)

and did knowingly and intentionally import into the United States from Mexico, approximately 68.30 kilograms (gross weight) of marijuana, a Schedule One controlled substance.

**This criminal complaint is based on these facts:**

See Attached Affidavit

☒ Continued on the attached sheet.



*Complainant's signature*

Andrew Mroczkowski - HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/30/2015

*Mignall. Tu*  
Judge's signature

*Judge's signature*

City and state: El Paso, Texas

Miguel A. Torres - U.S. Magistrate Judge

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*Printed name and title*

## Affidavit

On November 24, 2015, at approximately 11:47 PM, Alejandro ENRIQUEZ, a United States citizen, attempted entry into the United States from the Republic of Mexico at the Ysleta (YSL) Port of Entry (POE) in El Paso, Texas. ENRIQUEZ was the sole occupant of a blue 2006 Chevrolet Equinox bearing Texas license plate number GLC3167.

At approximately 11:47 PM, ENRIQUEZ arrived in the primary inspection area of the YSL POE. Customs and Border Protection Officer CBPO Molina immediately noticed a strong air freshener odor coming out of the vehicle as it pulled into CBPO Molina's inspection lane. ENRIQUEZ immediately asked, "Do you know what the best time to cross?" because the line was long. ENRIQUEZ then presented his valid United States Passport to CBPO Molina. CBPO Molina ran a crossing history on the vehicle and observed that the vehicle ENRIQUEZ was driving had one previous crossing utilizing the Texas plate GLC3167 and one crossing with temporary tags. CBPO Molina then asked ENRIQUEZ how long he had owned the vehicle? ENRIQUEZ responded saying that he bought it two weeks ago. CBPO Molina then asked ENRIQUEZ if he had crossed in the vehicle previously. ENRIQUEZ responded in a loud tone saying, "Yes I crossed the entire past week". CBPO Molina then asked ENRIQUEZ where he was traveling from and where he was headed. ENRIQUEZ stated that he was going home in El Paso and was coming from visiting his family in Juarez, Mexico. CBPO Molina asked Enriquez if he had anything to declare and ENRIQUEZ responded saying, No. CBPO Molina instructed ENRIQUEZ to drive the vehicle over to vehicle secondary inspection area for further inspection.

In secondary inspection, CBPO Carreon asked ENRIQUEZ why he had traveled into Mexico. ENRIQUEZ stated that he went to visit his kids. CBPO Carreon further asked ENRIQUEZ if he stopped anywhere else during his trip? ENRIQUEZ responded saying, "No". CBPO Carreon asked ENRIQUEZ if he was owner of the vehicle and ENRIQUEZ responded saying, "Yes". CBPO Carreon asked ENRIQUEZ how long he owned the vehicle. ENRIQUEZ stated that he purchased the vehicle three weeks ago. CBPO Carreon asked ENRIQUEZ if he had any repairs to the vehicle. ENRIQUEZ responded saying, "No". CBPO Carreon the asked ENRIQUEZ if he had taken the vehicle to the mechanic. ENRIQUEZ stated that he had taken the vehicle to the mechanic for maintenance last week on November 19, 2015. CBPO Carreon then asked if anyone else has access to the vehicle. ENRIQUEZ responded saying no one else has access to the vehicle. CBPO Carreon the asked ENRIQUEZ if anyone asked him to cross something for them. Enriquez responded, "No". CBPO Carreon proceeded to take a secondary binding declaration from ENRIQUEZ by asking if he was bringing into the United States any food, alcohol, drugs, plants, and/or seeds. ENRIQUEZ replied saying "No". CBPO Carreon observed ENRIQUEZ leaning back in his seat and would look down and away from CBPO Carreon after answering every question throughout the inspection. CBPO Carreon instructed ENRIQUEZ to drive his vehicle through the vehicle X-ray machine. ENRIQUEZ's vehicle was scanned and anomalies were observed in the floor and dash areas of the vehicle. CBPO Molina then inspected the vehicle using a Buster device which measures density to check the floor of the vehicle. The Buster device returned a

high reading. CBPO Molina then lifted the carpet of the front passenger side of the vehicle and noticed a non-factory metal tape patch in that area. CBPO Molina and CBPO Carreon then escorted ENRIQUEZ to a detention area. While escorting ENRIQUEZ to a detention area, Officers still, inspecting the vehicle, discovered plastic taped bundles in the areas that anomalies were observed during X-ray. CBPO Molina placed ENRIQUEZ into restraints.

U.S. Homeland Security Investigations (HSI) Special Agent (SA) Andrew Mroczkowski and was contacted and arrived at the port of entry to initiate an investigation.

In a secure location within CBP secondary, the vehicle was dismantled and discovered inside were several clear cellophane wrapped bundles contained within non-factory compartments of the floor, dashboard and front bumper areas of the vehicle. A total of one hundred and thirty-two (132) clear cellophane wrapped bundles containing a green leafy substance, which field tested positive for the characteristics of marijuana, were removed from the vehicle. The bundles weighed approximately 68.30 kilograms (gross weight).

SA Mroczkowski and CBPO Ramirez initiated an interview of ENRIQUEZ. ENRIQUEZ read his Miranda Statement of Rights in the English language. ENRIQUEZ acknowledged that he understood his rights, waived them, and agreed to answer questions without the presence of an attorney. ENRIQUEZ stated that he had owned the vehicle since October 30, 2015, and bought the vehicle for \$3,800 from a person named Javier, last name unknown (LNU), from a car lot called "3 Cs" located on Socorro Road in El Paso. ENRIQUEZ stated that he registered the vehicle on November 19, 2015. ENRIQUEZ stated that he took the vehicle to his mechanic, Jorge Santibanez, in Juarez, Mexico for maintenance the Monday after he purchased the vehicle (November 2, 2015). ENRIQUEZ stated that he left the vehicle at Santibanez for maintenance for three weeks and then stated that he picked up the vehicle on November 17, 2015. ENRIQUEZ then took the vehicle to register on the 19<sup>th</sup> and began to experience overheating soon thereafter. ENRIQUEZ stated that he took the vehicle back to Santibanez for repair on Saturday November 21, 2015. ENRIQUEZ stated that Santibanez had performed engine repair including changing pistons, gaskets, and that Santibanez did not charge for repair as he misdiagnosed the vehicle during maintenance. ENRIQUEZ was then provided a written consent form for consent to search his cellular phone by SA Mroczkowski. ENRIQUEZ read the form and agreed to sign providing consent to search. At this time, ENRIQUEZ was placed back into a detention cell.

SA Mroczkowski examined ENRIQUEZ's cellular phone and discovered text messages with contact name, "Jorge Pizarro". Within a series of messages on October 31, 2015, ENRIQUEZ and Jorge Pizarro discuss the purchase and transport of a vehicle. It is also observed that Jorge Pizarro texting ENRIQUEZ that he (Pizarro) has someone for the plates. It is observed that on November 24, 2015, Pizarro is texting ENRIQUEZ asking for Enriquez to have a person by the name, "el vale" call him (Pizarro). The next text from ENRIQUEZ on November 24, 2015, is ENRIQUEZ telling Pizarro he will pick up the vehicle at 9 at night. The last incoming and outgoing calls observed on ENRIQUEZ's

phone were from contact name "Vale" on November 24, 2015, beginning at 4:59 PM and last call received at 11:42 PM.

ENRIQUEZ was confronted with text messages from his cellular phone and ENRIQUEZ replied saying Pizarro is a friend and "El Vale" is his vehicle detailer. ENRIQUEZ was also confronted with information that he had crossed into the United States by foot (pedestrian lane) on November 17, 2015, the day in which he stated he picked up the vehicle. ENRIQUEZ then stated that he wanted to make extra money. ENRIQUEZ was then asked what was in the vehicle. ENRIQUEZ responded saying that he did not know exactly, but thought it to be drugs. ENRIQUEZ then stated that he met a man he referred to as "MESSENGER" at a restaurant in Juarez two weeks before purchasing his vehicle who asked him if he would like to make extra money. ENRIQUEZ agreed. The MESSENGER told him to purchase a Chevrolet Equinox because it has "potential" hidden compartments. ENRIQUEZ then purchased vehicle on October 30, 2015, and called MESSENGER on November 2, 2015 to make arrangements to drop the vehicle off, at location in El Paso, with keys. A person by the alias, "PAREJA" had called ENRIQUEZ to explain the process and told ENRIQUEZ he would be paid \$2,000 dollars per "load". ENRIQUEZ stated that the arrangement would was to pick up the vehicle in Juarez at a pre-designated area with the keys left with vehicle, bring the vehicle to the United States at an instructed area with keys in same area. ENRIQUEZ would then be told later where to pick up the vehicle in Juarez with the money (payment) located inside. ENRIQUEZ stated that he was planning on driving the vehicle loaded at total of ten times totaling \$20,000 dollars. ENRIQUEZ provided a written statement in the English language pertaining to the information he provided. During processing, ENRIQUEZ asked agents how much (drugs) was in his vehicle. Agents asked how much did ENRIQUEZ think was inside. ENRIQUEZ stated "fifty pounds".

ENRIQUEZ was taken to the El Paso County Detention Facility, processed and detained for his Initial Appearance for the charge of 21 USC § 841 and 21 USC § 952.